



[Secular Coalition for Maryland](http://secular.org) Secular Coalition for
America <http://secular.org>

February 11, 2020

The Honorable William C. Smith, Jr.
Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, MD 21401

Re: *SUPPORT SB554 Crimes - Mitigation - Sex, Gender Identity, or Sexual Orientation*

Chairman and Members of the Committee:

In an ideal world a bill like this would not be needed. A person's motivation for committing a crime is potentially exculpatory if that motivation is actual, and not imaginary, self-defense. The discovery or perception of, or belief about, another person's sex, gender identity, or sexual orientation, even if it is accurate, cannot properly constitute legally adequate provocation to mitigate a killing from the crime of murder to manslaughter or an assault from the crime of assault in the first degree to assault in the second degree or another lesser crime.

Unfortunately, some people hold strong biases against victims of crimes based on such personal attributes of the victim, and historically these biases have sometimes inappropriately influenced the judgements of judges or juries in criminal court. Insofar as this a problem it becomes necessary to clarify this issue in the law as this bill does.

The Secular Coalition for Maryland supports and encourages passage of this bill.